

REMARKS

In the last Office Action, the Examiner took the following actions:

rejected claims 1-22 under 35 U.S.C. § 112, first paragraph;

rejected claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by Muddu et al. ("Muddu").

Claims 6, 7, 11, 12, 16, 17, 21, and 22 are canceled and claims 1, 5, 8, 10, 13, 15, 18, and 20 are amended. Claims 1-5, 8-10, 13-15, and 18-20 are pending in this application.

Applicants have amended independent claims 1, 8, 13, and 18 to incorporate subject matter previously recited in their respective dependent claims 5, 10, 15, and 20. Specifically, the independent claims are amended to more clearly define the claimed "plural geometrical structure defining parameters" that include "a dummy wiring group formation position and an existence of dummy via hole." Claims 5, 10, 15, and 20 are amended in a manner consistent with the amendments to their respective independent claims. Claims 6, 7, 11, 12, 16, 17, 21, and 22 are canceled without prejudice or disclaimer of their subject matter.

Applicants respectfully traverse the rejection of claims 1-22 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the enabling requirement. The Examiner contends that the claims "contain subject matter which was not described in the specification in such a way as to enable one skilled in the art . . . to make and/or use the invention." Office Action at page 2. Specifically, the Examiner contends that independent claims 1, 8, 13, and 18 lack support for "forming the aggregate of simulation circuit patterns on a substrate," recited in claim 1 or similar elements recited in claims 8, 13, and 18. Id.

Applicants respectfully disagree. Applicants respectfully submit that, for example, paragraphs [0028] through [0052], as well as Figs. 2-4, of Applicants' specification recites support for these elements. For example, paragraph [0028] discloses that "the designed simulation wiring pattern aggregate is formed on test wafers (test substrates)" with reference to Fig. 2. Accordingly, Applicants submit that the claims are enabled by the specification. Therefore, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 112, first paragraph.

Applicants respectfully traverse the rejection of claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by Muddu, because the reference fails to teach each and every element recited in the claims.

In order to support a rejection under 35 U.S.C. § 102, each and every element of each claim in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites "plural geometrical structure defining parameters including at least any one of a dummy wiring group formation position and an existence of dummy via hole." Muddu does not teach "plural geometrical structure defining parameters" including either "dummy wiring group formation position" or "existence of dummy via hole," as recited in claim 1. Rather, Muddu teaches "[c]ritical repeater insertion length for a given process depend[ant] only [on] interconnect width, spacing, and total path

length." Page 2, column 1, last paragraph. Accordingly, claim 1 is not anticipated by Muddu for at least the above reasons.

Independent claims 8, 13, and 18, although of different scope, recited similar elements as discussed above with respect to claim 1. Accordingly, Muddu also fails to anticipate independent claims 8, 13, and 18 for similar reasons as claim 1. Claims 2-5, 9, 10, 14, 15, 19, and 20 depend from independent claims 1, 8, 13, or 18, and are allowable at least due to their dependence. Claims 6, 7, 11, 12, 16, 17, 21, and 22 are canceled, rendering their rejection moot. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 102(b).

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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